

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Rhonshawn Jackson,  
Plaintiff

: Civil Action No.

V.

: District Judge:

Unit Manager Knapp, et al;  
Defendants

: JURY TRIAL DEMAND

COMPLAINT:

FILED  
WILLIAMSPORT  
JAN 26 2022  
PER [Signature]  
DEPUTY CLERK

Plaintiff, Rhonshawn Jackson, Pro Se, complains against the following defendants in this caption to this complaint & in support of avers the following:

JURISDICTION & VENUE:

1) This is a civil rights action authorized by 42 U.S.C. section 1983 to redress the deprivation under color of state law, the rights secured by the Constitution of the United States. This court has jurisdiction under 28 U.S.C. Sections 1331, 1343, 2201, & 2202.

PLAINTIFF:

2) Plaintiff, Rhonshawn Jackson, is and at all times mentioned herein, a prisoner of the State Correctional Institution at Rockview (SCI-Rockview) at 1 Rockview Place, Box A, Bellefonte, Pa 16823.

DEFENDANTS:

3) Defendant Knapp is and at all times relevant as Unit Manager of the Restricted Housing Unit (RHU) at SCI-Rockview.

4) Defendant Brubaker is and at all times relevant as Grievance Coordinator/Assistant at SCI-Rockview.

5) Defendant Solomon is and at all times relevant as Superintendent at SCI-Rockview.

6) Defendant Anna is and at all times relevant as Correctional Officer at SCI-Rockview.

7) Each defendant is sued in his/her individual and official capacity. At all times mentioned in this complaint each defendant acted under color of state law.

COMPLAINT:

8) In March of 2020, plaintiff was transferred from SCI-Retreat's Behavior Management Unit(BMU) to SCI-Rockview's BMU. Upon arrival, plaintiff realized that there was no law library, unsanitary living conditions, no accessible mailboxes or grievance boxes for prisoners to place their own grievances or mail in the boxes, no DC-ADM policies inside of the mini law libraries, no working updated computers in the mini law library for inmates to adequately attack their convictions or pursue litigation, no clean sanitary cleaning utensils for inmates to clean our cells with, no sanitary or clean sheets, pillowcases, or blankets for our bedding, there was no cleaning of the vents which led to all types of different vermin & insects crawling out of them & biting us, there was no adequate heating & cooling systems in the cells, there was no maintenance of the cells which led to water leaks every time it rained which resulted in the black tar mixed in with other bacteria's contaminating the water spilling into our cells from cracks in the roof, & these leaks soiled paperwork, clothing, as well as made the cells unsanitary to live in inside of the BMU.

I grieved most of these issues, along with other inmates, & it led to me being retaliated against for filing grievances about the open/direct violations of policy & constitutional law that I constantly reported here at SCI-Rockview. I filed these grievances against Unit Manager Knapp for not managing his unit & for not supervising his subordinates and/or allowing his subordinates to violate our clearly established civil/constitutional rights with impunity, & due to me filing these grievances in good faith, I have been retaliated against as well as had my procedural due process rights violated.

CLAIMS AGAINST THE DEFENDANTS:

9) On 8/2/20, due to me filing grievances against Unit Manager Knapp about his mismanagement of the BMU, two pairs of my brand new sneakers were stolen out of my property by unit manager Knapp's subordinates and/or Mr Knapp himself. Upon discovering the theft, I filed a grievance & spoke to Unit Manager Knapp who arrogantly admitted that his officers had stolen my sneakers because they needed some new shoes to wear when they went hiking & that if I didn't file so many grievances against staff, then maybe they might've chosen some other inmates sneakers to go hiking in. Upon hearing Mr Knapp openly admit that his officers had, he had allowed his officers to go in my property & steal my two pairs of sneakers in retaliation for me filing grievances against Mr Knapp & the conditions in the BMU, on appx. 8/3/20, I filed a grievance against Mr Knapp for his involvement in the retaliatory theft of my two pairs of sneakers.

10) On 8/11/20, after I didn't receive the pink copy of my grievance that I filed against Mr. Knapp, I wrote to the Grievance Coordinator, Nikki Paul, & notified her that I didn't receive my pink copy of my grievance that I filed against Mr. Knapp & I asked her to forward the copy to me.

11) On 8/19/20, after I never received a response from Ms. Paul, I sent her another request slip notifying her that this is my second request to her notifying her that I never received a pink copy for the grievance that I filed against Mr Knapp, & as of date I have never received a pink copy or a response from Ms. Paul in regards to the disposition of my grievance that I filed against Mr. Knapp.

12) On appx. 8/23/20, I received the grievance response from the grievance officer in regards to my sneakers being stolen out of my property & the grievance officer said that, mysteriously, he couldn't see anyone coming in or out of my cell or the property room with my two pairs of sneakers, & it was confirmed that the two pairs of sneakers were on my property receipt & as of date nobody knows how two pairs of brand new sneakers can be taken out of a property room that is only accessible by SCI-Rockview employees.

13) On appx. August/September of 2021, due to never receiving any clean sheets & being forced to endure unsanitary living conditions & sleeping on filthy bedding, I broke out in very painful sores & rashes all over my body. I endured these painful rashes for well over a month, which resulted in me having to be seen by the medical department here at SCI-Rockview & the doctor prescribed me pills that I took by mouth twice a day for the pain, & maximum strength, anti-itch, Hydrocortisone cream, USP 1%, for the itching & irritation because every time my skin rubbed up against the sheet or a blanket, the painful sores & extreme itching became irritated. It was then, after I had broken out with painful sores & rashes, that Mr Knapp decided to get me new sheets, pillowcase, & a blanket but by this time I was already in extreme pain from the sores & rashes that covered my legs, chest, stomach, & arm areas. Due to this infection, it was difficult for me to sleep for over a month & it caused me anxiety & depression due to not knowing what was going on with my body.

14) After months of speaking to Unit manager Knapp about the unsanitary conditions & the open violations of policy & civil/constitutional rights by his subordinates, & receiving no relief or progress in regards to these matters, on 10/14/21 I filed more grievances about Mr Knapp not ensuring that his guards that he has working in the BMU have their Crisis Intervention Training & Mental Health First Aid Training due to the BMU being a program that strictly houses severely mentally ill inmates; about getting us new bedding & new cleaning utensils; about us not having two mini law libraries as policy mandates; about their not being any grievance forms in the mini law library as policy mandates; & about me not receiving a stepdown program for my Phase 2; & after I filed these grievances I received the pink copies back from them days later & Lt. Meyers was assigned as the grievance officer for these grievances.

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15) On appx. 10/18/21, during a L5 group in the BMU, Lt. Meyers interrupted the group to speak to me & another inmate named Washington, who had also filed grievances about the conditions in the BMU & the inhumane living conditions. I spoke to Lt. Meyers about witnessing him & Grievance Coordinator, Mr. Brubaker, going into the back room to Lt. Meyers with the grievances that inmates file in the restricted Housing Unit & allowing Lt. Meyers to appoint himself as grievance officer to specific grievances that report violations of policy and civil/constitutional rights in the BMU. Lt. Meyers than told me that he would see to it that I get placed on grievance restriction.

16) On appx. the week of 10/18/21, I personally spoke with Mr. Brubaker about seeing him take our grievances in the back with Lt. Meyers & I told Mr. Brubaker that he was violating our rights by doing that & subjecting us to retaliation. Mr. Brubaker than told me that by him doing it that way, it prevented him from having to go to his office & assign the grievances for the L5 & then have to come back to the Restricted Housing Unit. I then told Mr. Brubaker what Lt. Meyers had said to me about placing me on grievance restriction & Mr. Brubaker called me a "Frivolous Grievance Filer" & then told me that me being placed on grievance restriction sounded like a good idea & walked off.

17) On 10/22/21, I received a Grievance Restriction form stating that I was on grievance restriction for filing the same (5) grievances that Mr. Brubaker had just assigned to Lt. Meyers. Due to this grievance restriction not just being retaliatory in nature, it was premature & a direct violation of Mr. Brubaker's own grievance policy due to the fact that Lt. Meyers was assigned as the grievance officer & per DC-ADM 804 policy, only the grievance officer Lt. Meyers, can deem my grievances frivolous & even if he did, per policy he would have to include a statement setting forth a reason why the grievance was deemed as frivolous, which never happened.

18) On 10/22/21, due to never receiving a response from the grievance officer Lt. Meyers, deeming my grievances as frivolous or ever receiving a written response including a statement as to why the grievance was deemed as frivolous, I appealed the grievance response to Facility Manager Ms. Solomon.

19) On 10/26/21, I was told that I was going on ATA by C/O's Neavling & Groth, & I immediately let them know that I was never told about my ATA & I was never given an opportunity to pack up my property or have it inventoried prior to leaving & the two guards looked in my cell & saw that I had all of my property still in my cell & they told me that the second shift from the day before was supposed to had packed & inventoried my property. While we were talking, unit manager Knapp walked by & I asked him why I wasn't told about my ATA & why I wasn't allowed to have my property packed & inventoried in my presence, & Mr. Knapp responded "We don't tell inmates when they're going on ATA". Upon hearing this, c/o Groth spoke up & told Mr. Knapp that its policy to let the inmate know about his ATA so his property can be packed & inventoried, & Mr. Knapp replied "He bitches too much & files grievances which causes me to have to excess paperwork", & then he walked off.

20) On appx. 10/28/21, I spoke with my attorney, Andrew J. Horowitz, & I told him that all of my legal/personal property has once again been left in my cell without me being given the opportunity to have my property inventoried & packed in my presence in accordance to policy. I then let my attorney know about the conversation that transpired between me & Unit Manager Knapp, & how unit manager Knapp admitted that he intentionally didn't tell me about my ATA or ensure that my property was inventoried/packed per policy due to me "Bitching too much & filing grievances". I then asked my attorney to call the prison & find out if my property was packed per policy. Later on that day, while at SCI-Albion, I filed a grievance about the retaliatory tactic that was employed against me by unit manager Knapp.

21) On appx. 11/1/21, while at the Erie County Courthouse, my attorney, Andrew J. Horowitz, let me know that he had sent a email to Grievance Coordinator, Mr. Brubaker, in regards to my property & that he had received a response back stating that my property was packed per policy.

22) On 11/2/21, I received a grievance rejection form from Mr. Brubaker notifying me that he was rejecting my grievance due to me being on an premature retaliatory grievance restriction. This retaliatory tactic employed by Mr. Brubaker, was done in an attempt to obstruct me from reporting abuses and/or fully exhausting any future grievances that I file, & to circumvent liability as well as conceal these violations.

23) On 11/12/21, I returned back to SCI-Rockview & my property was inventoried by C/O's Holden & Cane. Upon inventorying my property I discovered that my trial transcripts for my criminal case, dated Sept/Oct of 2001 were missing, along with a (93) page anticipated lawsuit with (3) inmate affidavits attached to it that I was on the cusp of filing against SCI-Retreat & SCI-Rockview's staff including Unit Manager Knapp, Lt. Meyers, & C/O's Hayle & Anna was missing. I refused to sign the property inventory receipt until my legal materials were located, & after a thorough search for two days by C/O Holden, my legal materials were never found.

24) On 11/14/21, I wrote a request slip to Unit manager Knapp about my missing legal materials.

25) On 11/15/21, I filed a grievance about my missing legal materials.

26) On appx. 11/15/21, I personally spoke with Superintendent Solomon & I explained to her that Mr. Brubaker had placed me on a retaliatory grievance restriction after I had caught him taking the grievances out of the grievance box & taking them in the back to Lt. Meyers office so that Lt. Meyers could assign himself to specific grievances that reported abuses & violations of policy in the Restricted Housing Unit, & I told her about Lt. Meyers telling me that he was going to place me on grievance restriction prior to Mr Brubaker doing it. I also told her about how my property wasn't inventoried/packed in accordance to policy which has led to my legal materials



disappearing out of my property, then told her about how Mr Brubaker is obstructing me from fully exhausting any of my grievances with this retaliatory grievance restriction, & Superintendent Solomon told me to my face that she is tired of hearing my name & she said that she agrees with Mr Brubaker because I am a frivolous grievance filer & now that I'm on grievance restriction, hopefully she won't have to hear my name for a while. When I went to respond to her statement she just walked off. I filed a grievance about this incident expecting to receive another grievance rejection form but I never received anything back, not even the pink slip notifying me that it was received. So I wrote request slips to Mr Brubaker inquiring about the status of my grievance & I never received a response to my follow-up requests either.

27) On appx. 11/18/21, I received a response from my grievance restriction appeal to Superintendent Solomon, in which she denied my appeal & I noticed that the denial was dated 11/15/21, which was the same day that I had spoke with her about the retaliation I was enduring from her personnel.

28) On appx. 11/19/21, I immediately appealed Ms. Solomon's denial to Final Review & as of date of this complaint I haven't heard anything back from it.

29) On appx. 11/19/21, I received a response from the requests slips I wrote to Unit Manager Knapp, signed & dated by him letting me know that he had received my request notifying him of my missing legal materials.

30) On appx. the week of 11/19/21, I received another grievance rejection form from Mr Brubaker notifying me that the grievance I filed about my stolen legal materials was also being rejected due to me being placed on his premature retaliatory grievance restriction.

31) On appx. December 9, 2021, I asked c/o Anna if he knew who had went in my cell & removed my property out after I had went on ATA on 10/26/21, & c/o Anna replied "Why do you want to know, are you missing some legal stuff?". I told him that I was & I asked him how he knew that I was missing legal materials & he responded "Cause I heard a few guys talking about it. But to answer your question, I was the officer that took your legal materials & gave them to Unit Manager Knapp because you had my name & his name in it & I read that you were snitching on us to the courts about what's going on in the BMU. I gave your legal materials to Knapp & he said that your lawsuit was contraband, but he was supposed to give you your other legal materials because I took those out by accident, I thought they were with the lawsuit". I then told c/o Anna that I was filing a grievance about him taking my legal materials & giving them to Unit Manager Knapp & c/o Anna Said "I don't care, Brubaker's gonna' get rid of it anyway", & then he walked off smiling.

I filed a grievance about this incident that night & once again, I heard nothing back, & again I wrote the Grievance Coordinator, Mr Brubaker, for a status of my pink copy for this grievance also, but I never received a response from the requests I wrote inquiring about these grievances either.

32) On appx. 12/16/21, I personally spoke with Superintendent Solomon at my cell door during her round. I explained to Ms. Solomon that she is conspiring with her subordinates violation of my constitutional & civil rights & the retaliation that I've been enduring from Unit Manager Knapp & her Grievance Coordinator, Mr. Brubaker & I also explained to Ms. Solomon that due to me filing grievances against Mr. Knapp, since I came back from ATA on 11/12/21 I have been placed back here in the last cell on the pod right by the RHU inmates due to being ostracized from the rest of the inmates in the BMU. I let Ms. Solomon know that I have been deprived of sleep for over a month now due to the inmates in the RHU constantly banging on cell doors, yelling, kicking & subjecting me to loud noises all day long. I let Ms. Solomon know that as a mentally ill inmate I am diagnosed with chronic depression & due to the loss of sleep I'm being subjected to, I've become more depressed to the point that I barely eat or come out of my cell cause my body is always tired.

I then told Ms. Solomon that my grievances are being either thrown in the trash, ignored, or disregarded by your staff & my follow up requests that I send to Mr. Brubaker are not even being responded to. I also spoke to her again about my missing legal materials & I let her know that c/o Anna admitted to me that he took my lawsuit out of my property along with some other legal materials because he saw that I was suing him & Unit Manager Knapp in that complaint & due to Mr. Brubaker putting me on this bogus grievance restriction, I can't even get my grievance investigated, & Ms. Solomon replied "Mr Jackson, your constantly filing grievances against my staff, & now you're telling me about a lawsuit that you were planning on filing against my staff, & this is what you want me to get involved with? I suggest that you stop filing frivolous grievances, & stop these lawsuits that you're filing & then things will get a lot easier for you. So think about that & have a good day Mr. Jackson", & once again before I could respond to her statement she walked off.

I filed a grievance about this incident & once again I never heard anything back or received my pink copy, & the follow-up requests that I wrote to Mr. Brubaker were never responded to.

Plaintiff is seeking nominal, compensatory, & punitive damages for the direct violations of his First, Eighth, & Fourteenth Amendment rights of the U.S. Constitution, as well as civil conspiracy & the direct violation of his procedural due process rights & retaliation for utilizing the grievance process to petition the courts for redress of his grievances.

"VERIFICATION":

I, Rhonshawn Jackson, Pro Se, hereby swear under penalty of perjury 28 U.S.C. 1746, that all statements made in this complaint are true to the best of my knowledge & belief.

"JURY DEMAND":

Pursuant to Rule 38 of the Fed.R.Civ.P., plaintiff hereby demands a jury trial for all issues triable before a jury.

Dated: <sup>01</sup>~~02~~/18/22

Respectfully Submitted,

/s/ 

Rhonshawn Jackson #GW-4530

1 Rockview Place, Box A

Bellefonte, Pa 16823